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**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

The Minutes

February 18, 2002

There were no minutes for this date.

February 19, 2002

At 9:33 a.m., the court met in the Library & Courts Building to begin its court calendar session. Present: Scotland, Presiding Justice; Blease, Associate Justice; Davis, Associate Justice; and Rios, Bailiff. Calendar Called.

C037734

POULOS et al. v. ALPINE MEADOWS SKI COROPRATION

Cause called. Patrick J. Waltz argued for appellants. John E. Fagan argued for respondent. Cause submitted.

At 10:01 a.m., the court recessed. At 10:03 a.m., the court reconvened with Presiding Justice Scotland, Associate Justice Blease and Associate Justice Callahan.

C036904

THE PEOPLE v. MONTES

Cause called. Richard A. Levy, court appointed counsel, argued for appellant and submitted additional citations. Charles V. Fennessey, Deputy Attorney General, argued for respondent and submitted additional citations. Cause submitted.

At 10:35 a.m., the court recessed. At 10:39 a.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Davis and Associate Justice Callahan.

C035823

SMEDLEY etc. v. THE RAYMOND CORPORATION et al.

Cause called. Anthony D. Osmundson argued for appellant. Justs N. Karlsons argued for respondents. Cause submitted.

At 11:12 a.m., the court recessed. At 11:15 a.m., the court reconvened with Acting Presiding Justice Davis, Associate Justice Raye and Associate Justice Callahan.

C039251

TRACY EDUCATORS ASSOCIATION, CTA/NEA v. SUPERIOR COURT OF SAN JOAQUIN COUNTY and TRACY UNIFIED SCHOOL DISTRICT et al.

Cause called. Thomas J. Driscoll, Jr. argued for petitioner. Michael J. Burns argued for real parties in interest. Cause submitted.

At 11:42 a.m., the court recessed. At 2:01 p.m., the court reconvened with Presiding Justice Scotland, Associate Justice Raye and Associate Justice Callahan.

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The Minutes

February 19, 2002, continued

C034390 McPHEARSON v. THE MICHAELS COMPANY
Cause called. John M. Riestenberg argued for appellant. Larry M. Kazanjian argued for respondent. Cause submitted.

At 2:36 p.m., the court recessed. At 2:39 p.m., the court reconvened with Presiding Justice Scotland, Associate Justice Davis and Associate Justice Callahan.

C036295 HOWARD JARVIS TAXPAYERS ASSOC. et al. v. CITY OF ROSEVILLE
Cause called. Dennis W. DeCuir argued for appellant. Timothy Arthur Bittle argued for respondents. Cause submitted.

At 3:15 p.m., the court recessed until 9:30 a.m., Wednesday, February 20, 2002.

C032547 THE PEOPLE v. HARGROVE (Certified for Partial Publication)
The judgment is affirmed. The trial court is directed to amend the abstract of judgment consistent with footnote 1 of this opinion and to forward a certified copy of the amended abstract to the Department of Corrections. (CERTIFIED FOR PARTIAL PUBLICATION.)

NICHOLSON, J.
I concur: Davis, Acting P.J.
I concur in the result:
 Callahan, J.

C035559 THE PEOPLE v. COURTRIGHT (Not for Publication)
The judgment is affirmed.
 NICHOLSON, J.
We concur: Davis, Acting P.J.
 Kolkey, J.

C037196 THE PEOPLE v. JOHNSON (Not for Publication)
The judgment is affirmed.
 SCOTLAND, P.J.
We concur: Sims, J.
 Davis, J.

C037401 THE PEOPLE v. BOEH (Not for Publication)
The judgment is affirmed.
 BLEASE, Acting P.J.
We concur: Hull, J.
 Kolkey, J.

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The Minutes

February 19, 2002, continued

C037818 THE PEOPLE v. REED (Not for Publication)

The judgment is affirmed.

CALLAHAN, J.

We concur: Scotland, P.J.

Nicholson, J.

AMENDED

C0374770 THE PEOPLE v. CASTILLO

BY THE COURT:

Appellant's petition for rehearing is denied.

SCOTLAND, P.J.

February 20, 2002

At 9:30 a.m., the court met in the Library & Courts Building to begin its court calendar session. Present: Raye, Acting Presiding Justice; Callahan, Associate Justice; Hull, Associate Justice; and Facey, Bailiff. Calendar Called.

**C033990 COALITION FOR ALTERNATIVES TO KIEFER LANDFILL v. CITY OF
CITRUS HEIGHTS et al.**

Cause called. Kelly Theodore Smith argued for appellant. Tom Barth argued for respondent. John F. Whisenhunt, Deputy County Counsel, argued for respondent County of Sacramento. Cause submitted.

At 10:07 a.m., the court recessed. At 10:10 a.m., the court reconvened with Presiding Justice Scotland, Associate Justice Sims and Associate Justice Raye.

C035720 In re DANIEL K.; THE PEOPLE v. DANIEL K.

Cause called. Laurance S. Smith, court appointed counsel, argued for appellant. Charles V. Fennessey, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:29 a.m., the court recessed. At 10:36 a.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Davis and Associate Justice Callahan.

C038203 HARD et al. v. CALIFORNIA STATE EMPLOYEES ASSOCIATION

Cause called. Steven B. Bassoff argued for appellant. Anne M. Giese appeared only. Christopher W. Katzenbach argued for respondents. Cause submitted.

At 11:18 a.m., the court recessed. At 11:20 a.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Davis and Associate Justice Callahan.

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The Minutes

February 20, 2002, continued

C036773

THE PEOPLE v. MOORE

Cause called. Madeline M. McDowell, court appointed counsel, argued for appellant. Peter H. Smith, Deputy Attorney General, argued for respondent. Cause submitted.

At 11:40 a.m., the court recessed. At 11:45 a.m., the court reconvened with Acting Presiding Justice Callahan, Associate Justice Hull and Associate Justice Kolkey.

C035673

GUNTHER v. CITY OF SACRAMENTO

Cause called. Christine Craft argued for appellant. Melissa C. Brown appeared only. Jerry Hicks, City Attorney argued for respondent. Cause submitted.

At 12:14 p.m., the court recessed. At 2:01 p.m., the court reconvened with Presiding Justice Scotland, Associate Justice Callahan and Associate Justice Hull.

C037506

In re JUAN R.; THE PEOPLE v. JUAN R.

C037507

In re SERGIO R.; THE PEOPLE v. SERGIO R.

Cause called. Juan F. Ramirez argued for appellants. Joel E. Carey, Deputy Attorney General, waived argument for respondents. Cause submitted.

At 2:32 p.m., the court recessed. At 2:39 p.m., the court reconvened with Acting Presiding Justice Raye, Associate Justice Callahan and Associate Justice Hull.

C034571

CULBREATH v. DEPARTMENT OF WATER RESOURCES

C034696

Cause called. David J. Duchrow argued for appellant and submitted additional citations. Karin L. Polli, Deputy Attorney General, argued for respondent. Cause submitted.

At 3:02 p.m., the court recessed until 9:30 a.m., Friday, February 22, 2002.

C034958

THE PEOPLE v. MULLER

(Not for Publication)

The judgment is affirmed.

CALLAHAN, J.

We concur: Sims, Acting P.J.
Hull, J.

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The Minutes

February 20, 2002, continued

- C036608 THE PEOPLE v. BOUTTE (Not for Publication)**
The judgment is affirmed. The trial court is directed to amend the abstract of judgment to change the reference on line 1 of section 2 (enhancements) from "12202.53(D) (PC)" to "12022.5(a) (PC)" and to forward a certified copy of the amended abstract to the Department of Corrections.
 DAVIS, Acting P.J.
We concur: Raye, J.
 Hull, J.
- C039015 THE PEOPLE v. HICKS (Not for Publication)**
The judgment is affirmed. The trial court is directed to prepare a corrected abstract of judgment to reflect that defendant was ordered to pay a fine of \$10, a state penalty assessment of \$10, and a county penalty assessment of \$7, and to forward a certified copy of the corrected abstract to the Department of Corrections.
 DAVIS, J.
We concur: Scotland, P.J.
 Robie, J.
- C030775 TRUJILLO v. WILCOXEN, MONTGOMERY & HARBISON et al. (Not for Publication)**
The judgment is affirmed.
 CALLAHAN, J.
We concur: Blease, Acting P.J.
 Raye, J.
- C034061 QUALITY ASSURANCE TECH. INC. v. SYSTEMS PARTNERS, INC. (Not for Publication)**
The judgments (orders) are affirmed. The previously issued stay is vacated upon finality of this opinion.
 HULL, J.
We concur: Blease, Acting P.J.
 Davis, J.
- C038642 WEST etc, et al. v. SUNDOWN LITTLE LEAGUE OF STOCKTON INC., et al. (Certified for Publication)**
The judgment is affirmed. Defendants shall recover their costs on appeal.
(CERTIFIED FOR PUBLICATION.)
 NICHOLSON, J.
We concur: Scotland, P.J.
 Blease, J.

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C031865	CHOW v. NORCAL REALTY PARTNERS, etc., et al.
C033257	Cause called. Claudia J. Robinson argued for appellant. Richard A. Proaps appeared only. Howard J. Stagg, IV argued for respondents. Cause submitted.

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February 22, 2002, continued

At 10:01 a.m., the court recessed. At 10:06 a.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Sims and Associate Justice Morrison.

C039165 PARRISH v. SUPERIOR COURT OF SACRAMENTO COUNTY

Cause called. Burton R. Loehr, Deputy Public Defender, argued for petitioner. John G. McLean, Deputy Attorney General, argued for real party in interest. Cause submitted.

At 10:28 a.m., the court recessed. At 10:32 a.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Morrison and Associate Justice Kolkey.

C035356 BOELMAN et al. v. SUTTER NORTH MEDICAL GROUP et al.

Cause called. Joseph H. Fagundes argued for appellants. Tom Wagner appeared only. Daniel E. Wilcoxon argued for respondents. Cause submitted.

At 11:06 a.m., the court recessed. At 11:10 a.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Raye and Associate Justice Morrison.

C037148 BONTRAGER et al. v. ASSESSMENT APPEALS BOARD OF SISKIYOU COUNTY and YREKA INVESTMENT GROUP et al.

Cause called. Lawrence E. Skidmore argued for real party in interest and appellants. Leland H. Jordan argued for respondents. Cause submitted.

At 11:40 a.m., the court recessed. At 2:00 p.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Sims and Associate Justice Morrison.

C038019 BONNELL v. MEDICAL BOARD OF CALIFORNIA

Cause called. Heidi R. Weisbaum, Deputy Attorney General, argued for appellant and submitted additional citations. Thomas D. Bunton, Deputy County Counsel, argued for respondent. Richard K. Turner appeared only. Cause submitted.

At 2:31 p.m., the court recessed. At 2:36 p.m., the court reconvened with Acting Presiding Justice Blease, Associate Justice Sims, and Associate Justice Davis.

C038115 FRUITS v. COUNTY OF SHASTA et al.

Cause called. Michael L. Pickering argued for appellant. Gary Brickwood argued for respondents. Cause submitted.

At 3:13 p.m., the court recessed. At 3:18 p.m., the court reconvened with Acting Presiding Justice Sims, Associate Justice Davis and Associate Justice Hull.

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The Minutes

February 22, 2002, continued

**C037282 TICKET TRACK CALIFORNIA INC., et al. v. DEPARTMENT OF MOTOR
VEHICLES et al.**

Cause called. John A. Bachman, Deputy Attorney General, argued for appellants. William R. Warne argued for respondents. Laura M. Rojas appeared only. Cause submitted.

At 4:14 p.m., the court recessed. At 4:21 p.m., the court reconvened with Acting Presiding Justice Davis, and Associate Justice Morrison. Associate Justice Nicholson was not present.

C037574 GAINES v. DEL MONTE CORPORATION

Cause called. All counsel orally stipulated that Justice Nicholson could participate by cassette tape. Laurence O. Masson argued for appellant. Joseph A. Schwachter argued for respondent. Cause submitted.

At 4:47 p.m., the court recessed until 9:30 a.m., Tuesday, February 26, 2002.

C032659 THE PEOPLE v. MILLER

BY THE COURT:

Appellant's petition for rehearing is denied.
BLEASE, Acting P.J.

AMENDED